

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.45956 of 2008

JITENDRA SINGH @ JITENDRA KUMAR SINGH,
son of Gaya Singh, resident of
Village Kamdarechak, P.S. Kurtha,
District Arwal

-----Petitioner

Versus

1.STATE OF BIHAR

2.SUNILA DEVI @ SUNIL DEVI,
wife of Jitendra Singh,
resident of Village Kamdarechak,
P.S. Kurtha, District Arwal. At
present reside at daughter of Late
Lalchand Singh, Village Pachkeshar,
P.S. Karpi, District Arwal

-----Opp. Parties

2. 15.12.2008 Heard the learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in connection
with Complaint Case No.256 of 2008 for the alleged offences
registered under sections 498A and 323 of the Indian Penal Code and
section 4 of the Dowry Prohibition Act.

It is submitted on behalf of the petitioner that the
present complaint has been filed for ulterior purposes. As a matter of
fact, the marriage between the petitioner and the complainant took
place about 20 years back. However, some differences cropped up, for
which a Panchayati, as contained in Annexure 2, was held and the
matter was compromised. The complainant had expressed her desire
to live with the petitioner. Later on, she did not enter into the
compromise. Learned counsel submits that the petitioner has also filed
a petition for restitution of conjugal rights. Notwithstanding the
above, it is submitted that the petitioner is ready to keep the
complainant as a legally wedded wife with dignity.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender in connection with Complaint Case No.256 of 2008 within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Jehanabad, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

It goes without saying that in case the petitioner backs out his promises in keeping the complainant properly as per the status of the family, it will be open for the complainant to file an application for cancellation of bail of the petitioner on appropriate ground.

PNM

(Shailesh Kumar Sinha, J.)

